

**UTILITY PATENT  
APPLICATION TRANSMITTAL LETTER**

j1046 U.S. PTO  
09/996686  
11/30/01

[illegible]

[x] Applicant(s) hereby request(s) that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Also enclosed are:

[ ] a claim for foreign priority under 35 U.S.C. §§ 119 and/or 365 is [ ] hereby made to \_\_\_\_\_  
 filed in \_\_\_\_\_ on \_\_\_\_\_;

[ ] a certified copy of the priority document;

[x] an Assignment document;

[ ] a patent application data sheet; and

[x] An [x] executed [ ] unexecuted declaration of the inventor(s)

[ ] Please amend the specification by inserting before the first line the sentence --This application claims priority under 35 U.S.C. §§ 119 and/or 365 to \_\_ filed in \_\_ on \_\_; the entire content of which is hereby incorporated by reference.--

--This application is a continuation of International Application No. \_ filed on \_, which International Application [ ] was [ ] was not published by the International Bureau in English on \_.--.

[x] The filing fee has been calculated as follows [ ] and in accordance with the enclosed preliminary amendment:

[x] The filing fee has been calculated as follows [ ] and in accordance with the enclosed preliminary amendment:

CLAIMS					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$740.00 (101)
Total Claims	20	MINUS 20 =		× \$18.00 (103) =	
Independent Claims	2	MINUS 3 =		× \$84.00 (102) =	
If multiple dependent claims are presented, add \$280.00 (104)					
Total Application Fee					\$740.00
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee \$40.00 (581) if Assignment document is enclosed					\$40.00
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$780.00</b>

- [ ] This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
- [x] A check in the amount of \$ 780.00 is enclosed for the fee due.
- [ ] Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- [X] The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Please address all correspondence concerning the present application to:

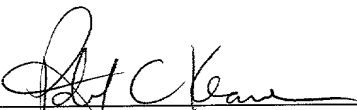
Customer No. 26332  
WESTERN DIGITAL TECHNOLOGIES, INC.  
20511 LAKE FOREST DRIVE  
LAKE FOREST, CA 92630

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 30, 2001

By:

  
Patrick C. Keane  
Registration No. 32,858

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Thomas D. HANAN
Title	System and Method For Fail-Over Switching in a Disk Storage Medium
Atty Docket Number	K35A0988

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Nov. 30, 2001

Date

  
Signature

Patrick C. Keane, Reg. No. 32.858

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.